



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,403	10/05/1999	JOHN SANTEE	RATLP009	9613

26541 7590 10/07/2003

RITTER, LANG & KAPLAN
12930 SARATOGA AE. SUITE D1
SARATOGA, CA 95070

EXAMINER

BASOM, BLAINE T

ART UNIT	PAPER NUMBER
----------	--------------

2173

8

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/412,403

Applicant(s)

SANTEE ET AL.

Examiner

Blaine Basom

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,5,7,8,10,17-21,24,25,27,28 and 30 is/are allowed.
- 6) ☒ Claim(s) 1,2,13-16,22,33 and 34 is/are rejected.
- 7) ☒ Claim(s) 3,6,9,11,12,23,26 and 29, 31 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

In the previous Amendment, filed on November 18th, 2002, the Applicant amended the specification of the present application to replace the priority claim to U.S. Provisional Application No. 60/121,197 with the claim that the application is related to U.S. Patent Application No. 08/655,149. It is recommended that this Amendment be cancelled, and the original claim of priority to the U.S. Provisional Application be again placed in the specification. Although the declaration of the present application expresses this claim of priority, it is beneficial that the specification also expresses such a priority statement.

Response to Arguments

Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the following new grounds of rejection, which follows.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 13-16, 22, 33, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,097,388 which is attributed to Goodfellow. In general, Goodfellow describes a method for managing windows of one or more applications displayed on a computer screen. In managing such windows, Goodfellow discloses that a plurality of maps of active windows are generated (see column 2, lines 18-22). Consequently, Goodfellow is considered to teach a computer-implemented method of mapping a graphical user interface of an application.

Regarding claim 1, Goodfellow discloses that a first map is generated, whereby this first map identifies a first set of windows actively displayed on the computer (see column 2, lines 18-27). Consequently, Goodfellow is considered to teach identifying a first set of windows that are active on the desktop of the computer. Goodfellow is also considered to teach performing an action on a graphical user interface object in a window of the application. For example, Goodfellow discloses that a window operation occurs when a window is added to the desktop (see column 2, lines 27-29). It is interpreted that such an operation entails performing an action on a graphical user interface object on a window of an application, as is common in the art; windows often contain buttons or other user interface objects which may be selected which

Art Unit: 2173

results in the display of a new window. In response to such an operation, a second map is generated, whereby this second map identifies the set of windows active on the desktop after the operation (see column 2, lines 29-37). It is understood that any windows added to the desktop as a result of the operation are included within this second map. Thus Goodfellow further teaches identifying a second set of windows that are active on the desktop of the computer and adding a new window to the map of the graphical user interface of the application. Lastly, Goodfellow discloses that the first map and second map are compared in order to identify how the computer display has changed as a result of the operation, and thus to determine the newly added window (see column 2, lines 37-42). Goodfellow therefore teaches comparing the first set of windows to the second set of windows to identify a new window in the second set. Comparing the second map to the first map to identify a new window in the second map is considered analyzing the second map to determine if the new window is already present in the map.

In reference to claims 15, 16, and 22, Goodfellow discloses that the above-described method may be implemented as a computer program embodied on a computer-readable medium, such as a hard drive (see column 3, lines 9-39). This method of Goodfellow, implemented as a computer program on such a computer-readable medium, is considered a "computer program product," like that of claims 15 and 16.

Regarding claims 13-14 and 33-34, it is interpreted that one may perform window operations by performing actions such as left mouse clicks, right mouse clicks, left mouse double clicks, or keystrokes on window objects such as buttons, sliders, check boxes, or tab controls, as is known in the art.

Allowable Subject Matter

Claims 3, 6, 9, 11, 12, 23, 26, 29, 31, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is an examiner's statement of reasons for allowance:

In reference to claims 3, 6, 9, 11, and 12, the prior art teaches a method, like that of claim 2, for mapping a graphical user interface of an application, wherein the map of the graphical user interface is analyzed to determine if a new window is already in the map. However, the prior art does not teach adding a shortcut to the map if the new window is already present in the map, where as recited in claim 3, the shortcut references the new window. The prior art similarly does not teach that the new window is determined to already be present in the map if the new window and the window in the map have the same name, as recited in claim 6. In addition, the prior art does not teach receiving input from a user that one or more graphical user interface objects should be ignored when generating the map, as is recited in claim 9. Regarding claims 11 and 12, although the prior art teaches created a map identifying windows with a computer, the prior art also does not teach displaying the map on the computer, as is expressed in claim 11, or that the map is hierarchical and includes windows, graphical user interface objects, and actions, as is expressed in claim 12.

In reference to claims 23, 26, 29, 31, and 32, the prior art teaches a computer program product, like that of claim 22, for mapping a graphical user interface of an application, wherein the map of the graphical user interface is analyzed to determine if a new window is already in the

Art Unit: 2173

map. However, the prior art does not teach adding a shortcut to the map if the new window is already present in the map, where as recited in claim 23, the shortcut references the new window. The prior art similarly does not teach that that the new window is determined to already be present in the map if the new window and the window in the map have the same name, as recited in claim 26. In addition, the prior art does not teach receiving input from a user that one or more graphical user interface objects should be ignored when generating the map, as is recited in claim 29. Regarding claims 31 and 32, although the prior art teaches created a map identifying windows with a computer, the prior art also does not teach displaying the map on the computer, as is expressed in claim 31, or that the map is hierarchical and includes windows, graphical user interface objects, and actions, as is expressed in claim 32.

Claims 4-5, 7-8, 10, 17-21, 24-25, 27-28, and 30 are allowed. The following is an examiner's statement of reasons for allowance:

Regarding claims 4 and 5, the prior art teaches a method, like that of claim 2, for mapping a graphical user interface of an application, wherein the map of the graphical user interface is analyzed to determine if a new window is already in the map. However, the prior art does not teach that the new window is determined to already be present in the map if similarities between the new window and a window in the map are above a similarity threshold, this similarity threshold being defined as the percentage of graphical user interface objects that the new window and the window in the map have in common, as is recited in claim 5.

Regarding claims 7, 8, and 10, the prior art teaches a method, like that of claim 2, for mapping a graphical user interface of an application, wherein the map of the graphical user

Art Unit: 2173

interface is analyzed to determine if a new window is already in the map. However, the prior art does not teach receiving input from a user that two or more windows of the map that have been determined as different should be considered the same window, as is expressed in claim 7, or receiving input from a user that two or more windows of the map that have been determined at the same should be considered different windows, as is expressed in claim 8. Similarly, and specifically regarding claim 10, the prior art does not teach receiving input from a user specifying an amount of time to wait after performing an action before identifying a second set of windows.

With respect to claims 17-21, the prior art teaches an application mapper that executes an application to generate a map of the graphical user interface of the application, the application mapper adding a new window to the map by performing an action in the graphical user interface and identifying the new window by comparing windows in the graphical user interface before and after the action. However, the prior art does not explicitly disclose a script generator that utilizes this map of the graphical user interface of the application, nor does the prior art disclose an application tester that executes these scripts to test the application, as is expressed in claim 17. As claims 18-21 depend on claim 17, and include all of the limitations of claim 17, claims 18-21 are similarly considered allowable.

Regarding claims 24 and 25, the prior art teaches a computer program product, like that of claim s2, for mapping a graphical user interface of an application, wherein the map of the graphical user interface is analyzed to determine if a new window is already in the map. However, the prior art does not teach that the new window is determined to already be present in the map if similarities between the new window and a window in the map are above a similarity

Art Unit: 2173

threshold, this similarity threshold being defined as the percentage of graphical user interface objects that the new window and the window in the map have in common, as is recited in claim 25.

Regarding claims 27, 28, and 30, the prior art teaches a computer program product, like that of claim 22, for mapping a graphical user interface of an application, wherein the map of the graphical user interface is analyzed to determine if a new window is already in the map. However, the prior art does not teach receiving input from a user that two or more windows of the map that have been determined as different should be considered the same window, as is expressed in claim 27, or receiving input from a user that two or more windows of the map that have been determined at the same should be considered different windows, as is expressed in claim 28. Similarly, and specifically regarding claim 30, the prior art does not teach receiving input from a user specifying an amount of time to wait after performing an action before identifying a second set of windows.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

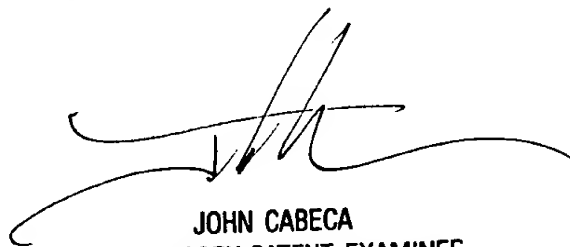
The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The Bates et al. U.S. Patent cited therein presents a method of mapping and analyzing a graphical user interfaces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blaine Basom whose telephone number is (703) 305-7694. The examiner can normally be reached on Monday through Friday, from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 305-3900.

btb



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100